

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

COSMETIC WARRIORS LIMITED,

Plaintiff,

v.

LUSCIOUS GROUP LLC and
INNOVATIVE TECHNOLOGIES PVT
d/b/a LUSCIOUS COSMETICS

Defendants.

Civil Action No. 1:18-CV-04803

Judge Sharon Johnson Coleman

**DEFENDANT LUSCIOUS GROUP LLC'S CONSENT MOTION FOR EXTENSION OF
TIME TO RESPOND TO PLAINTIFF'S COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 6(b), Defendant Luscious Group LLC (“Luscious”) submits this motion to extend time to answer or otherwise respond to Plaintiff Cosmetic Warriors Limited’s (“CWL”) Complaint by thirty (30) days to December 10, 2018. Both Plaintiff and Defendant Innovative Technologies PVT (“Innovative Technologies”) consent to this request. As grounds for this request, Luscious states:

1. Plaintiff commenced this action on July 13, 2018. (Dkt. No. 1.)
2. Both Defendants waived service of process pursuant to Federal Rule of Civil Procedure 4(d) on requests for waiver of service dated September 11, 2018. (*See* Dkt. Nos. 14 and 15.)
3. The deadline for Defendant Luscious to answer or otherwise respond to the Complaint is November 10, 2018, while the deadline for Defendant Innovative Technologies, a foreign corporation located in Pakistan, to answer or otherwise respond to the Complaint is December 10, 2018. (*See* Fed. R. Civ. P. 4(d)(3) allowing 60 days for defendants in the United

States, and 90 days for defendants outside the United States, to answer after a request for waiver is sent.)

4. Most of the same allegations in the Complaint have been made against both Defendants.

5. Since the commencement of this action, the parties have been engaged in continuous and progressing settlement discussions and have exchanged initial and revised drafts of a settlement agreement. Plaintiff provided a draft written settlement agreement on September 11, 2018. Defendants provided a revised draft written settlement agreement on October 8, 2018. The parties have already agreed on many of the salient terms and are optimistic that a settlement agreement will soon be finalized.

6. Plaintiff's consent motion to reschedule the initial status hearing was granted and the hearing reset for December 17, 2018. (Dkt. No. 19.) As grounds for the motion, Plaintiff referred to the progress on settlement, the conservation of judicial resources, and the ability to allow the parties to focus on finalizing a written settlement agreement that would obviate the need for such a status hearing and allow for the dismissal of this action.

7. Federal Rule of Civil Procedure 6(b) gives the Court discretion to grant a motion to extend a deadline for good cause before the deadline expires. Here, Luscious's deadline to respond to the Complaint has not expired and there is good cause to grant its motion. Allowing the motion would align the deadline for both Luscious and Innovative Technologies to answer or otherwise respond to the Complaint, most of the same allegations of which are made against both Defendants. Furthermore, it would allow the parties to focus all efforts on finalizing a written settlement agreement that would allow for the dismissal of this action, instead of shifting attention to preparing an answer and/or responsive pleading.

8. This is the first request by Defendant Luscious for an extension of time to respond to the Complaint.

9. This motion, submitted with the consent of Plaintiff and Defendant Innovative Technologies, is made in good faith and not to delay or prejudice, and granting the motion will not prejudice any parties in this case.

WHEREFORE, Defendant Luscious respectfully requests that the Court grant this motion and extend by thirty (30) days the time to answer or otherwise respond to the Complaint to December 10, 2018.

Dated: New York, New York
October 24, 2018

/s/ Darren M. Geliebter
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